

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DEREK A. DURANT,

Defendant.

8:06CR380

ORDER

Defendant Derek A. Durant (Durant) appeared before the court on August 7, 2013, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 36). Durant was represented by Jessica P. Douglas and the United States was represented by Assistant U.S. Attorney Robert C. Sigler. Through his counsel, Durant waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Petition alleges probable cause and Durant should be held to answer for a final dispositional hearing before Chief Judge Laurie Smith Camp.

The government moved for detention. Through counsel, Durant declined to present any evidence or request a hearing on the issue of detention. Since it is Durant's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Durant has failed to carry his burden and Durant should be detained pending a dispositional hearing before Chief Judge Smith Camp.

**IT IS ORDERED:**

1. A final dispositional hearing will be held before Chief Judge Laurie Smith Camp in Courtroom No. 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 9:00 a.m. on October 10, 2013**. Defendant must be present in person.

2. Defendant Derek A. Durant is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 8th day of August, 2013.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge